IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 36135 of 2007(B)

PETITIONERS:
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1. KALLIL BHAGAVATHY TEMPLE,
A DEITY WITH ADDRES AT ASAMANNOOR VILLAGE,
METHALA KARA, KUNNATHUNDADU TALUK,
ASAMANNOOR PANCHAYATH,
REPRESENTED BY KRISHNAN NAMBOOTHIRY
@ BRAHMA PAADANANDA SARASWATHY,
S/O. HAREESWARAN NAMBOOTHIRY, AGED 58 YEARS,
MADHATHIPATHY, SREE RAMADASA MISSION,
SREE RAMADASA ASHRAM, THUNDATHIL P.O.,
THIRUVANANTHAPURAM.

2. SOMAN.C.N.@ PAYIPRA SOMAN,
S/O.M.NARAYANAN NAIR,
VICE PRESIDIENT,
SREE RAMADASA MISSION UNIVERSAL SOCIETY,
RESIDING AT EUTHIRAKALAYIL VEEDU,
PAYIPRA, MANARI P.O.,
MUVATTUPUZHA, ERNAKULAM DISTRICT.

BY ADV. SRI.B.N.SHIVSANKAR
SRI.G.SURESH KUMAR (EKM)

RESPONDENTS:
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1. THE SUB INSPECTOR OF POLICE
KURUPPUMPADY POLICE STATION.

2. THE CIRCLE INSPECTOR OF POLICE
KURUPPUMPADY.

3. THE DEPUTY SUPERINTENDENT OF POLICE
PERUMBAVOOR.

4. THE SUPERINTENDENT OF POLICE
ERNAKULAM DISTRICT RURAL, ALUVA.

5. STATE OF KERALA
REPRESENTED BY SECRETARY,
HOME DEPARTMENT ,
SECRETARIAT, THIRUVANANTHAPURAM.

6. EDATHUKUDY JOY,
S/O. KUNJAPPAN,
ASAMANNOOR VILLAGE, METHALA KARA,
KUNNATHUNADU TALUK,
ASAMANNOOR PANCHAYATH.

7. EDATHUKUDY MATHAI JOSE,
S/O. NOT KNOWN,
ASAMANNOOR VILLAGE,
METHALA KARA, KUNNATHUNADU TALUK,
ASAMANNOOR PANCHAYATH.

8. REJI,
S/O.THONNAMAKKAL MATHUKUTTY,
ASAMANNOOR VILLAGE, METHALA KARA,
KUNNATHUNADU TALUK,
ASAMANNOOR PANCHAYATH.

9. VINESH @ CHANTHU,
S/O.ANAKUZHY KANNAPPAN
ASAMANNOOR VILLAGE, METHALA KARA,
KUNNATHUNADU TALUK,
ASAMANNOOR PANCHAYATH.

10. M.N.MURALI,
MADHATHIL,S/O.NOT KNOWN
ASAMANNOOR VILLAGE, METHALA KARA,
KUNNATHUNADU TALUK,
ASAMANNOOR PANCHAYATH.

11. ARJUNAN,
S/O.VAZHAYIL VELAYUDHAN,
ASAMANNOOR VILLAGE, METHALA KARA,
KUNNATHUNADU TALUK,
ASAMANNOOR PANCHAYATH.

R1 TO R5 BY SR.GOVERNMENT PLEADER SMT.K.MEERA
R6 TO R11 BY ADV. SRI.P.K.BALAKRISHNAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.36135 OF 2007-B

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 TRUE COPY OF ASSIGNMENT DEED NO.2451/1999 DATED 30.10.1999 OF KURUPPUMPADY S.R.O.

EXT.P2 TRUE COPY OF COMPLAINT DATED NIL

EXT.P3 TRUE COPY OF COMPLAINT DATED 1.12.2007

EXT.P4 TRUE COPY OF COMPLAINT DATED 30.11.2007

EXT.P5 TRUE COPY OF COMPLAINT FILED BY MR.SAJEESH GOPINATH IN PERSON SUBMITTED ON 3.12.2007

EXT.P6 TRUE COPY OF COMPLAINT FILED BEFORE THE DISTRICT COLLECTOR, ERNAKULAM ON 4.12.2007

EXT.P7 TRUE COPY OF THE PRESS STATEMENT ISSUED BY THE MADATHIPATHY ON 4.12.2007.

/ TRUE COPY /

H.L.DATTU, C.J. & K.M.JOSEPH, J.

W.P.(C) No.36135 of 2007

Dated, this the 12th day of December, 2007

JUDGMENT

H.L.Dattu, C.J.

Smt.K.Meera, learned Senior Government Pleader, appears for respondents 1 to 5. Sri.P.K.Balakrishnan Nair, learned counsel, appears for respondents 6 to 11.

2. In this writ petition filed under Article 226 of the Constitution of India, the petitioners seek a direction to respondents 1 to 4 to give them adequate police protection since their life and property is in danger.

3. After hearing the learned counsel appearing for the parties to the lis, we are of the opinion that if permission is granted to the petitioners to lodge a complaint before the respondent police authorities, if and when their life and property is in danger, the police authorities will take cognizance of the complaint and then proceed in accordance with law.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.M.JOSEPH)
JUDGE

vns